

ANDREW R. ADLER, ESQ. (CAL. BAR #56415)
JASON O. BALOGH, ESQ. (CAL. BAR #238199)
BOORNAZIAN, JENSEN & GARTHE
A Professional Corporation
555 12th Street, Suite 1800
P. O. Box 12925
Oakland, CA 94604-2925
Telephone: (510) 834-4350
Facsimile: (510) 839-1897

Attorneys for Defendant Pamela Zimba

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINE CHANG, individually and as Guardian ad litem for ERIC SUN, disabled,)	Case No.: C 07 4005 EMC
)	
Plaintiff,)	REQUEST FOR JUDICIAL NOTICE IN
)	SUPPORT OF MOTION TO DISMISS,
)	ETC.
vs.)	
)	Date: May 14, 2008
ROCKRIDGE MANOR CONDOMINIUM,)	Time: 2:30
et al.,)	Courtroom: C
)	Magistrate Judge: Edward M. Chen
Defendants.)	
)	Complaint Filed: August 3, 2007

Pursuant to Federal Rule of Evidence 201, defendant Pamela Zimba, by and through her counsel, hereby requests the Court to take judicial notice of the following document:

1. The Request for Dismissal (with prejudice) of Alameda County Superior Court Action #2001-023364, *Chang v. Ammann*, filed April 5, 2005 and showing entry of dismissal of the said action on April 5, 2005, a certified copy of which is attached hereto as Exhibit A.

DATED: April 8, 2008

BOORNAZIAN, JENSEN & GARTHE
A Professional Corporation

By: 

ANDREW R. ADLER, ESQ.
Attorneys for Defendant
Pamela Zimba, Esq.

25168/430102

PROOF OF SERVICE BY MAIL
(C.C.P. SECTIONS 1013(a) -2015.5)

I am employed in the County of Alameda, State of California. I am over the age of 18 years and not a party to the within action. My business address is 555 12th Street, Suite 1800, P.O. Box 12925, Oakland, California 94604-2925.

I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. On the date indicated below, at the above-referenced business location, I sealed envelopes, enclosing a copy of the REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION TO DISMISS, ETC., addressed as shown below, and placed them for collection and mailing following ordinary business practices to be deposited with the United States Postal Service on the date indicated below:

Ms. Christine Chang
341 Tideway Drive, #214
Alameda, CA 94501
Tel: 510-769-8232

Plaintiff In Pro Per

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Oakland, California, on April 8, 2008.



LESLIE HASSBERG

25168\418091

EXHIBIT A



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Pamela Zimba, S.B.N. 147850 LAW OFFICES OF PAMELA ZIMBA 110 East D Street, Suite A, Benicia, CA 94510		TELEPHONE NO.: TEL: 707.745.6424 FAX: 707.745.8695	03/05/00 FOR COURT USE ONLY
ATTORNEY FOR (Name): PLAINTIFFS Insert name of court and name of judicial district and branch court, if any: ALAMEDA COUNTY SUPERIOR COURT		FILED ALAMEDA COUNTY APR 05 2005	
PLAINTIFF/PETITIONER: CHANG, et al. DEFENDANT/RESPONDENT: AMMANN, et al.		CLERK OF THE SUPERIOR COURT By <u>Alphonse C. Ellis</u> Deputy	
REQUEST FOR DISMISSAL <input type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input checked="" type="checkbox"/> Other (specify): Emotional Distress, etc.		CASE NUMBER: 2001-023364	

— A conformed copy will not be returned by the clerk unless a method of return is provided with the document. —

1. TO THE CLERK: Please **dismiss** this action as follows:
- a. (1) ☒ With prejudice (2) ☐ Without prejudice
- b. (1) ☒ Complaint (2) ☐ Petition
- (3) ☐ Cross-complaint filed by (name):
- (4) ☐ Cross-complaint filed by (name):
- (5) ☒ Entire action of all parties and all causes of action
- (6) ☐ Other (specify):*

on (date):
on (date):

Date: 04.05.05

Pamela Zimba

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

* If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

(SIGNATURE)
Attorney or party without attorney for:

☒ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Cross-complainant

2. TO THE CLERK: Consent to the above dismissal is hereby given. **
Date:

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

** If a cross-complaint— or Response (Family Law) seeking affirmative relief—is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

(SIGNATURE)

Attorney or party without attorney for:

☐ Plaintiff/Petitioner ☐ Defendant/Respondent

☐ Cross-complainant

(To be completed by clerk)

3. ☒ Dismissal entered as requested on *(date)*: _____
4. ☐ Dismissal entered on *(date)*: _____ as to only *(name)*: _____
5. ☐ Dismissal **not entered** as requested for the following reasons *(specify)*: _____
6. ☐ a. Attorney or party without attorney notified on *(date)*: _____
- b. Attorney or party without attorney not notified. Filing party failed to provide
☐ a copy to conform ☐ means to return conformed copy

DISMISSAL ENTERED

APR 5 2005

Exec. Off./Cler
By Alphonse
Deputy

Date:

Clerk, by _____, Deputy

1 **PROOF OF SERVICE**

2 I am employed in the County of Solano, State of California. I am over the age of 18 years, and not a party
3 to the within action. My business address is: Treasury Commons Building, 110 East D Street, Suite A, Benicia,
California, 94510. On the date set forth below, I served the foregoing document described as:

4 (1) **REQUEST FOR DISMISSAL**

5 on the parties or attorneys for parties in this action who are identified as follows:

6 SEE ATTACHED SERVICE LIST

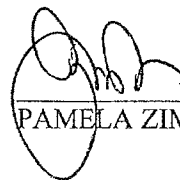
7 **BY PERSONAL SERVICE.** I caused a true and correct copy of the aforementioned document
8 to be personally served by giving same to a representative of ALPHA ATTORNEYS SERVICE,
836 B Southampton Rd., #182, Benicia, CA 94510 for same day service. A completed PROOF
9 OF HAND DELIVERY (CCP § 1011) is to be returned to this office.

10 **BY FACSIMILE TRANSMISSION.** I caused a true and correct copy of the aforementioned
document(s) to be transmitted to each of the parties at the facsimile machine number last given by
11 said party on any document which he or she has filed in this action and served upon this office.

12 Date of facsimile transmission: _____; Time: _____ Originating facsimile machine number:
707.745.8695. A true and correct copy of the transmission report is attached to this proof of
13 service confirming that the fax has been sent without error. (Cal Rules of Court 2008(e)).

14 X **BY MAIL.** I placed a true and correct copy of the aforementioned document(s) in a sealed
envelop individually addressed to each of the parties and caused each such envelope to be
15 deposited with the US Postal Service and or picked up by an authorized representative, on that
same day with fees fully prepaid at Benicia, California, in the ordinary course of business.

16 X (State) I declare under penalty of perjury under the laws of the State of California that the foregoing is
true and correct. Executed on the 5th day of April 2005 in Benicia, California.

18 
19 _____
20 PAMELA ZIMBA
21
22
23
24
25

Service List: Chang, et al. v. Ammann, et al

Albert Coombes, Esq.
LAW OFFICES OF ALBERT F. COOMBES
15915 Ventura Blvd., Penthouse 4
Encino, CA 91436
Tel: 818.986.1533
Fax: 818.986.1657
Counsel for Plaintiffs Christine Chang and Eric Sun

Frank Perretta, Esq.
Chinh Vo, Esq.
CLAPP, MORONEY, BELLAGAMBA & DAVIS
6140 Stoneridge Mall Rd., Suite 545
Pleasanton, CA 94588
Tel: 925.734.0990
Fax: 925.734.0888
Counsel for Defendant Eva Ammann

Sara B. Allman, Esq.
Steven A. Nielsen, Esq.
ALLMAN & NIELSEN
100 Larkspur Landing Circle
Larkspur, CA 94939
Tel: 415.461.2700
Fax: 415.461.2726
Counsel for Defendants Rockridge Manor Homeowner's Association, et al.

John F. Geary, Esq.
Leo R. Bartolotta, Esq.
GEARY, SHEA, O'DONNELL & GRATTAN, P.C.
37 Old Courthouse Square, Fourth Floor
Santa Rosa, CA 95404
Tel: 707.545.1660
Fax: 707.545.1876
Counsel for Defendant Elizabeth Lady



The foregoing instrument is a
correct copy of the original
on file in this office.

ATTEST: APR 08 2008

Executive Officer/Clerk of the Superior Court,
State of California, County of Alameda.

BY Alphonine Oates DEPUTY